## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No.: 9223

Thomas J. Ribarich

Date: February 26, 2007

Serial No.: 10/678,004

Group Art Unit: 2875

Filed: October 2, 2003

Examiner: Hargobind S. Sawhney

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## **VIA EFS-WEB**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated November 30, 2006 of the Primary Examiner finally rejecting claims 1, 2, 4. 6-16 and 38-42. The Appeal Fee (\$500 - Large Entity) is

- [X] Submitted by credit card via EFS-WEB
- [ ] Not required (fee paid in prior appeal)
- [ ] Charge to Deposit Account No. 15-0700

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700. In the event that the actual Appeal Fee is greater than the payment submitted herewith or is not enclosed, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

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THIS CORRESPONDENCE IS BEING SUBMITTED ELECTRONICALLY THROUGH THE UNITED STATES PATENT AND TRADEMARK OFFICE EFS FILING SYSTEM ON FEBRUARY 26, 2007

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Respectfully submitted,

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